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**FILED**  
DISTRICT COURT OF GUAM

4 Attorneys for Defendant  
5 **925 Mine**

AUG 27 2008 *hbw*

**JEANNE G. QUINATA**  
Clark of Court

7 IN THE DISTRICT COURT OF GUAM

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9 CHROME HEARTS LLC., ) CIVIL CASE NO. 08-00009

10 Plaintiff, )

11 vs. )

12 ALMA SHOP; JUNG WOO NAM; HAPPY )

13 HAPPY GIFT SHOP; BON SUN AHN; )

14 GUAM PALM CORPORATION doing )

15 business as HAWAIIAN SILVER; YOUNG )

16 SAN NICOLAS; 925 MINE; HUNG BUM )

17 CHOI; ASHINN SHIATSU MASSAGE; )

18 GARDEN JEWELRY; FEN SHAN PIAO; )

19 A+ ACCESSORY PLUS dba KYODA; and )

20 KAWAII GIFT SHOP; UNE JOO CHUNG, )

21 Defendants. )

DEFENDANT 925 MINE'S  
ANSWER TO COMPLAINT

22 Now comes Defendant 925 MINE, and states the following as its Answer to Plaintiff's  
23 Complaint:

***First Affirmative Defense***

24 The Complaint fails to state a claim against this Defendant upon which relief can be  
25 granted.

**ORIGINAL**

### ***Second Affirmative Defense***

Defendant 925 MINE denies the allegations in paragraphs 5(b), 32, 36, 37, 39, 40, 50, 52 and 57 of the Complaint.

### ***Third Affirmative Defense***

Defendant 925 MINE is without information and belief to ascertain the truth of falsity of paragraphs 1, 2(a), 2(b), 3(a), 3(b), 4(a), 4(b), 5(a), 5(b), 6, 7(a), 7(b), 8, 9(a), 9(b), 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 35, 38, 41, 43, 44, 45, 46, 47, 48, 49, 54, 55 and 56 and, therefore, denies on that basis.

### ***Fourth Affirmative Defense***

With respect to paragraph 5(a), Defendant 925 MINE admits the allegation of paragraph 1 with respect to jurisdiction and it being an entity organized and existing under the laws of Guam, however, Defendants deny the remainder of paragraph 5(a) of the Complaint.

### ***Fifth Affirmative Defense***

With respect to paragraphs 26, 33, 42, 51 and 53, Defendants reallege and incorporate their responses previously set forth herein.

### ***Sixth Affirmative Defense***

In paragraphs 27, 28, 29, 30 and 31, Plaintiff generally alleges acts against Defendants, as a group, for copyright infringement without identifying any act allegedly done by Defendant 925 Mine , a violation of Rule 8 of the Federal Rules of Civil Procedure.

### ***Seventh Affirmative Defense***

In paragraphs 35, 36, 37, 39 and 40, Plaintiff generally alleges acts against Defendants, as a group, for trademark infringement without identifying any act allegedly

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done by Defendant 925 Mine , a violation of Rule 8 of the Federal Rules of Civil Procedure.

### ***Eighth Affirmative Defense***

In paragraphs 47, 48 and 49, Plaintiff generally alleges acts against Defendants, as a group, for unfair competition without identifying any act allegedly done by Defendant 925 Mine , a violation of Rule 8 of the Federal Rules of Civil Procedure.

### ***Ninth Affirmative Defense***

In paragraph 52, Plaintiff generally alleges acts against Defendants, as a group, for dilution without identifying any act allegedly done by Defendant 925 Mine, a violation of Rule 8 of the Federal Rules of Civil Procedure.

### **Tenth Affirmative Defense**

In paragraphs 54, 55 and 56, Plaintiff generally alleges acts against Defendants, as a group, for common law unfair competition and trademark infringement without identifying any act allegedly done by Defendant 925 Mine , a violation of Rule 8 of the Federal Rules of Civil Procedure.

### ***Eleventh Affirmative Defense***

Defendant 925 MINE denies each and every allegation not generally admitted or denied above.

### ***Twelfth Affirmative Defense***

This Court lacks jurisdiction to hear this matter.

### **Thirteenth Affirmative Defense**

Plaintiffs are barred from asserting claims under the doctrines of Estoppel, Laches and Waiver.

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### ***Fourteenth Affirmative Defense***

Plaintiff's claims fail to comply with federal law prerequisites to the filing of a Complaint in Federal Court.

### ***Fifteenth Affirmative Defense***

Plaintiff's claims are barred by the statute of limitations.

WHEREFORE, Defendant 925 Mine prays for Judgment as follows:

1. That Plaintiff takes nothing by its complaint.
2. For attorney's fees and costs in the defense of this action.
3. That the Court enter such other and further relief as it may deem just.

Dated at Hagåtña, Guam on this 25<sup>th</sup> day of August, 2008.

**TEKER TORRES & TEKER, P.C.**

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**PHILLIP TORRES, ESQ.**  
Attorneys for Defendant **925 Mine**

Atorneys for Defendant **925 Mine**

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